

Agency Activity Inventory
by Agency
Appropriation Period: FY 2004-05

Agency: E23 - Commission on Indigent Defense

Functional Group: Public Safety &
Correctional

159 Administration

This function provides executive leadership, policy development and review, financial services, personnel services, statistical collection and analysis, communications and other related administrative services. Section 17-3-310.

FY 2004-05					
Total	General Funds	Federal Funds	FM	Other Funds	FTEs
\$301,204	\$301,204	\$0	No	\$0	3.00

Expected Results:

Administration seeks to provide the timely payment of vouchers and dissemination of accurate accounting and statistical information. Administration is responsible for constantly seeking ways to improve the indigent defense system; providing excellent, cost-effective representation.

Outcome Measures:

While executing required administrative functions, effective administration provides leadership in the field of indigent defense and forms partnerships with the executive, legislative and judicial branches to seek innovative and effective solutions to the problems facing the indigent defense system.

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160 Legal Aid Funding

This is a pass-through fund to the SC Centers for Equal Justice pursuant to Section 14-1-204. Funds provide free legal services in civil matters involving issues such as housing and consumer fraud.

FY 2004-05					
Total	General Funds	Federal Funds	FM	Other Funds	FTEs
\$1,707,542	\$7,542	\$0	No	\$1,700,000	0.00

Expected Results:

Disbursement of allocated funds

Outcome Measures:

To provide free legal services in civil matters to those who are unable to afford a private attorney.

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161 Death Penalty Fund

Funds used to reimburse attorneys appointed by the court to represent indigent persons prosecuted for capital offenses. Funds are disbursed pursuant to Section 16-3-26.

FY 2004-05					
Total	General Funds	Federal Funds	FM	Other Funds	FTEs
\$2,789,099	\$39,099	\$0	No	\$2,750,000	1.00

Expected Results:

Representation of indigent persons in a manner which protects their rights and complies with the US Constitution and with the Laws of SC governing capital cases. A public defender is typically one of the two attorneys appointed when the solicitor pursues the death penalty.

Outcome Measures:

Funding of the death penalty fund ensures that attorneys and experts such as psychiatrists, psychologists, investigators, and forensics and ballistics experts are paid for their services in a capital case. Excellent representation in a capital case is crucial to serve the ends of justice. Having a public defender serve as counsel in a capital case is highly cost effective while providing the accused with a lawyer who is very experienced in criminal law.

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162 Conflict Fund

Funds used to reimburse court appointed attorneys for legal services rendered in criminal cases. Attorneys are appointed pursuant to Court Rule 608 when the Public Defender's office has a conflict such as representing a co-defendant. Code Section 17-3-50 is applicable.

FY 2004-05					
Total	General Funds	Federal Funds	FM	Other Funds	FTEs
\$1,120,705	\$20,705	\$0	No	\$1,100,000	2.00

Expected Results:

Timely payment for services rendered and to meet the increasing demands on this fund. Vouchers in felony cases increased by 10% from FY03 to FY04.

Outcome Measures:

Success and full funding of this program ensures that an indigent person who has been charged with committing a crime has the representation he is guaranteed under the US Constitution and that the criminal court system continues to operate.

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163 Civil Appointment Fund

Funds used to reimburse attorneys appointed by the court in cases involving abuse and neglect, protective placement, and termination of parental rights. Fund is also used to pay attorneys appointed as Guardians Ad Litem and in Sexually Violent Predator and Post Conviction Relief cases. Payments are made pursuant to Proviso 35.5 of the General Appropriations Act.

FY 2004-05					
Total	General Funds	Federal Funds	FM	Other Funds	FTEs
\$768,200	\$18,200	\$0	No	\$750,000	2.00

Expected Results:

Timely payment for services rendered and to meet the increasing demands on this fund. For example, Guardian ad Litem vouchers increased 19% from FY 03 to FY 04, and Vouchers in Sexually Violent Predator cases rose 58%.

Outcome Measures:

Success and full funding of this program furthers the safety and welfare of children. Additionally, it furthers the ends of justice by ensuring legal representation in our court system in a cost effective manner.

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164 Defense of Indigents Per Capita

Funds distributed to Public Defender Corporations on a per capita basis pursuant to Section 17-3-70.

FY 2004-05					
Total	General Funds	Federal Funds	FM	Other Funds	FTEs
\$5,211,703	\$3,188,651	\$0	No	\$2,023,052	0.00

Expected Results:

Support of county public defender offices so that valuable and fiscally responsible legal services may continue. Offices should be staffed to handle a constantly increasing number of cases including magistrate's court cases pursuant to AL v. Shelton.

Outcome Measures:

Success and full funding of this program ensures that our public defender offices which currently handle between 75 and 80% of all General Sessions cases continue to operate efficiently. Public Defender offices play

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an integral role in the timely disposition of cases in our court system and in greatly reducing the costs of pre-trial incarceration to our counties.

AGENCY TOTALS

Commission on Indigent Defense

TOTAL AGENCY FUNDS	TOTAL GENERAL FUNDS	TOTAL FEDERAL FUNDS	TOTAL OTHER FUNDS	TOTAL FTEs
\$11,898,453	\$3,575,401	\$0	\$8,323,052	8.00